

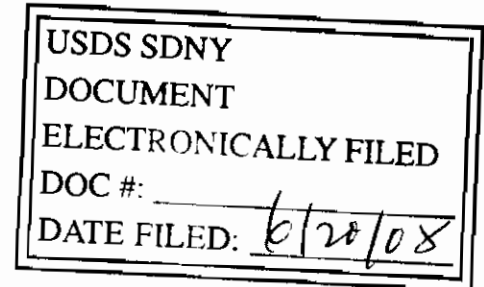
The Gursky Group

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JUN 16 2008

U.S. DISTRICT JUDGE
S.D.N.Y.

June 18, 2008



BY FACSIMILE

Honorable Harold Baer, Jr.
United States District Court
United States Court House
500 Pearl Street, Room 2230
New York, NY 10007

Re: **Diesel Props S.r.l., et al. v. Greystone Business Credit II
LLC, et al. Civil Action No. 07 CV 9580 (HB)**

Dear Judge Baer:

We represent plaintiffs Diesel Props S.r.l. and Diesel Kid S.r.l. and third party defendant Diesel S.p.A. (collectively the "Diesel Parties") in the above referenced matter.

Pursuant to Your Honor's Pretrial Scheduling Order (the "Order"), the deadline for completion of fact discovery in the above-captioned matter is August 30, 2008, and latest return date for dispositive motions is October 15, 2008. We write on consent of all parties to request a one-month extension of those deadlines to September 30, 2008 and November 15, 2008, respectively. The parties do not request any change in the scheduled deadline for pretrial orders or for the scheduled trial in this matter.

The parties respectfully submit that the requested extension is necessary because of the volume of document and deposition discovery in this matter, and the parties' extensive efforts in discovery and other matters in this litigation to date. First, as the Court is well-aware, the parties have spent substantial time litigating two TRO applications and a preliminary injunction motion; appeal of the preliminary injunction; and negotiating and finalizing settlement of the preliminary injunction involving approximately 108,000 pair of Diesel-branded shoes. That settlement is now complete and the appeal has been withdrawn.

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During that same time, all parties to this action have been actively engaged in extensive document discovery. The Diesel Parties served their first discovery request on January 22, 2008. (Additional requests have been served since then). Greystone Business Credit II LLC ("Greystone") and Global Business Marketing, Inc. ("GBMI") responded to those requests on February 29, 2008, pursuant to an agreed extension, and March 3, 2008. Greystone served its first discovery requests on March 6, 2008. The Diesel Parties responded to those requests on April 7 and 9, 2008.

In response to the various document requests, the Diesel Parties have produced over 90,000 pages of documents, on April 11, April 24, and May 16, 2008; Greystone has produced over 110,000 pages of documents, on March 7, March 20, April 14, May 1, May 2, May 19, May 23, June 5, and June 6, 2008; and GBMI has produced over 15,000 pages of documents, on March 18, June 6, and June 9, 2008. Additionally, counsel for GBMI has indicated that GBMI recently accessed approximately 150,000 additional e-mails which may be responsive. Finally, all parties are in the process of completing production of emails and electronic documents; once produced, some of the documents may require translation.

The parties' anticipate that approximately 25 depositions will be taken in this matter, most of which will require extensive travel by witnesses and/or counsel. As of the date of this letter, depositions in this matter are scheduled to begin on July 16, 2008.

Based upon the foregoing, the parties respectfully request a one-month extension of the fact discovery deadline (until September 30, 2008) and of the deadline for the latest return date for dispositive motions (until November 15, 2008). As noted above, the parties do not at this time request adjustment of the deadline for pretrial orders or for the trial date in this matter. We will, of course, keep the Court promptly apprised of any discovery issues that arise.

Thank you for your consideration.

Respectfully,

Ira S. Sacks

ISS/es

cc: David J. Chizewer, Esq. (via email)
Glen Silverstein, Esq. (via email)

*As I read to sheet entry 53
the last month is January to
approximate your proposal fails to
provide me to the last date minimum
for decision please frank it and
to have fully briefed motions on my
desk by 6/11/08 & then this is
acceptable*

Baer, Jr., U.S.D.J.

6/25/08

TOTAL P.03

Endorsement:

As I read docket entry 53 the trial month is January and sacrosanct your proposal fails to provide me with the 60 days minimum for decision. Please work it out and have fully briefed motions on my desk by 11/1/08 and then this is agreeable.